

MEMO ENDORSED



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May 22, 2025

BY ECF

Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Coleman, et al. v. Optum, Inc., et al.*, 22-cv-5664 (ALC)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter on behalf of Defendant New York City Health and Hospitals Corporation ("H+H").

The individual Plaintiffs Vernaize Coleman and Cynthia Holmes (the "WTPA Plaintiffs") bring a putative class action against H+H under the New York Wage Theft Protection Act, N.Y. Labor Law § 195(3).

I write to respectfully request an extension of time for Defendant H+H to serve and file its anticipated motion to dismiss the Amended Complaint. This is Defendant H+H's second request for such an extension, and the Court granted its first request. Plaintiffs consent to this request.

The reason for the requested extension is that H+H and the WTPA Plaintiffs are currently engaged in settlement discussions to resolve the matter, which may obviate the need for motion practice. Specifically, the WTPA Plaintiffs have conveyed an initial settlement demand, which Defendant H+H is currently evaluating. Due to professional obligations in other matters, however, it has taken me longer to take all the necessary steps to obtain any settlement authority, steps which I am currently in the process of expediting. As such, the requested extension, which

also accounts for the various upcoming holidays, will enable me to obtain any settlement authority and will allow the parties to fully explore the possibility of settlement prior to expending the parties' and judicial resources on motion practice.

Accordingly, Defendant H+H respectfully requests that the Court grant a 60-day extension of time, from May 23, 2025 until July 22, 2025, to serve and file its anticipated motion to dismiss the Amended Complaint to enable the parties to fully explore settlement.

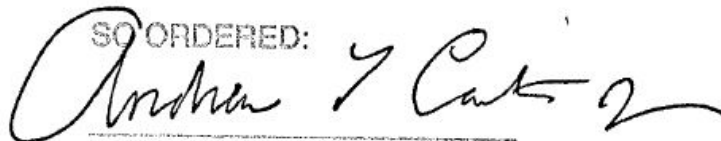
I thank the Court for its consideration of the within.

Respectfully submitted,

/s/

Philip S. Frank
Assistant Corporation Counsel

cc: All counsel of record (via ECF)

SO ORDERED:


HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

May 23, 2025
New York, New York